

# CITY OF CONWAY, ARKANSAS

## REZONING GUIDELINES & PROCEDURES

*Effective on and after March 28, 1995*

**NOTE:** This document does not include all requirements for Planned Unit Development (PUD). Please refer to the Conway Zoning Ordinance.

### Guidelines for decision making by the City Council

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1. The City Council may consider various recommendations and planning documents from several sources, such as the Planning Commission, Planning & Development department staff, and the Comprehensive Plan in determining if a rezoning is appropriate.
2. Any denial of a rezoning request by the City Council shall be final for one year. The same application may not be reinitiated until the expiration of that deadline.
3. No petition for rezoning shall be reviewed by the City Council without a report from the Planning Commission.

### Procedure

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1. The petitioner must pay a non-refundable filing fee of \$325 for any rezoning request other than a PUD. If the requested rezoning is a PUD, Petitioner must pay \$1,125 for non-residential; for residential, up to 10 units the fee is \$525, up to 25 units the fee is \$725, or for 26 units or more the fee is \$1,125.
2. The Application for Rezoning must be submitted to the Planning & Development department **no less than 17 days prior to the public hearing**. (See attached Planning Commission schedule).
3. The Application must include a statement and diagram explaining why the proposed rezoning will not conflict with surrounding land use.
4. The petitioner must place a notice of public hearing in the *Log Cabin Democrat* appearing **at least once, 15 days prior to the public hearing** (Please confirm copy deadlines directly with the *Log Cabin Democrat*). The notice must include:
  - a. The current zoning and the rezoning being sought,
  - b. The location (including legal description and physical address. If no physical address is available, a description that is clear to the average person will suffice),
  - c. The time, date, and location of the public hearing (see attached Planning Commission schedule. Meetings are held at 7:00 pm in the District Court Building, 810 Parkway Street,
  - d. Contact information (City of Conway website address, Planning & Development telephone number, etc.) where the average person can find further information regarding the rezoning item,
  - e. The public notice must be headed "Public Notice" and include the name of the current chairperson of the Planning Commission.
5. The petitioner must post one or more public hearing signs at or near the front property line of the property to be rezoned **no less than 15 days prior to the public hearing**. The sign should be clearly visible/unobstructed to the passing general public and must remain on the property until the public hearing before the Planning Commission. The disposable public hearing sign may be obtained from the Planning & Development department for \$7.50.
6. The petitioner must notify all property owners within 200 feet of the petitioner's property of the intention to rezone, via USPS First Class mail and provide completed **Certificates of Mailing** (issued by the USPS) as evidence to the Planning & Development department **no less than 10 days prior to the public hearing**. A map showing the location of the property and a letter from the petitioner certifying that the map shows a complete list of property owners within 200 feet should be submitted OR a list of property owners within 200 feet may be obtained from the Planning & Development department. The map/list is used to verify that all required parties have been notified.

7. Following the public hearing, the request may be approved as presented, or in modified form, by a majority vote of the Planning Commission. If approved, the recommendation is forwarded to the City Council for action at the next available meeting. If the Planning Commission does not approve the request, the reasons for denial will be provided, in writing, to the petitioner within 30 days from the date of the public hearing. **Planning Commission bylaws require a representative for each request to be present at the public hearing. If no representative is present the request will be held in committee.**
8. The City Council then acts on the Planning Commission's recommendation. A petitioner may withdraw a request until noon on the Thursday preceding the City Council meeting at which the request will be heard. After this time, the petitioner must appear in person at the City Council meeting to request a withdrawal of the request.
9. If the request is approved by the City Council, the City Clerk is required to publish the ordinance in the *Log Cabin Democrat*. The City Clerk will bill the petitioner for the publication fee.

*Note: This is not an exhaustive guideline regarding rezoning/application for rezoning. Additional information is available in the City of Conway Zoning Ordinance.*

### **Checklist of Items for Rezoning Application**

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- ☐ **Application for rezoning** - filed with the Planning & Development Department no later than 17 days prior to the public hearing.
- ☐ **Statement and diagram explaining why changes will not conflict with surrounding uses** - filed with the Planning & Development department no later than 17 days prior to the public hearing.
- ☐ **Filing fee of \$325** or as applicable for PUD (see Procedure Item no. 1) - paid at the Planning & Development department no later than 17 days prior to the public hearing. Make checks payable to City of Conway.
- ☐ **Sign** - the disposable sign can be obtained at the Planning & Development department for \$7.50 and must be posted no later than 15 days prior to the public hearing.
- ☐ **Proof of Publication** - The notice must appear at least once no later than 15 days prior to the public hearing. The proof of publication, obtained from the *Log Cabin Democrat* after publication of public notice, is filed with the Planning & Development department no later than 10 days prior to the public hearing.
- ☐ **Certificates of Mailing and/or petitions to all property owners within 200 feet** - notifications to all property owners within 200 feet must be postmarked no later than 15 days prior to the public hearing. Completed certificates of mailings (issued by the USPS) and/or petition are filed with the Planning & Development department no later than 10 days prior to the public hearing.
- ☐ **Map/List showing all property owners within 200 feet** - a map/list (may be obtained from the Planning & Development department) including all names of property owners within 200 feet must be filed with the Planning & Development department no later than 10 days prior to the public hearing.

## APPLICATION FOR ZONING CHANGE

Conway Planning Commission

City of Conway, Arkansas

Present Zoning Classification: \_\_\_\_\_ Desired Zoning Classification: \_\_\_\_\_

Location of property to be rezoned (**legal description**):

Physical address of property: \_\_\_\_\_

Name of Applicant: \_\_\_\_\_

Signature of Owner/Applicant: \_\_\_\_\_

Home Address: \_\_\_\_\_

Email Address: \_\_\_\_\_ Daytime Telephone: \_\_\_\_\_

Date: \_\_\_\_\_

## NOTICE OF PUBLIC HEARING AND NOTIFICATION LETTER FORMAT

The following information is to be included in the newspaper publication and notification letters.

Notice is hereby given that \_\_\_\_\_ has filed an application with the Conway Planning  
Commission requesting to rezone from \_\_\_\_\_ to \_\_\_\_\_ the following  
described property:

name of petitioner

present zoning

desired zoning

**[legal description]**

**[physical address/if no address is available, provide a description that is clear to the average person]**

A public hearing on said request will be held at 7:00 pm on **[meeting date]** in the District Court Building, 810 Parkway Street. All persons are called upon to show cause for or against the requested rezoning.

For further information regarding this item please visit [www.cityofconway.org](http://www.cityofconway.org) or contact the Planning & Development department at 501-450-6105.

Mark Lewis  
Chairman, 2016  
Conway Planning Commission

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**This notice must be run in the legal notices section of the Log Cabin Democrat no less than 15 days prior to the public hearing.**

**The deadline for legal notices is noon, 2 days prior to publication.**

The deadline for Sunday and Monday publications is noon Friday.

Legal notices must be submitted in a copy/paste format (Microsoft Word doc., RTF file, etc.)

**by email only to [legals@thecabin.net](mailto:legals@thecabin.net).**

For further information regarding publication requirements please contact the *Log Cabin Democrat* at 501-327-6621.

## LETTER OF AUTHORIZATION

I/We, the undersigned property owner(s), do hereby name and authorize \_\_\_\_\_  
to act as agent of owner in my/our behalf in the matter of the application filed for rezoning before the Planning Commission  
and City Council of Conway, Arkansas.

Executed this \_\_\_\_\_ of \_\_\_\_\_, 2016.  
day of the month month

Owner Name (please print)

Owner Name (please print)

Owner Signature

Owner Signature

# 2016

## CONWAY PLANNING COMMISSION

### SCHEDULED MEETING DATES

<b><u>MONTH</u></b>	<b><u>MEETING DATE</u></b>	<b><u>SUBMISSION DEADLINE</u></b>
January	Tuesday, January 19 <sup>1</sup>	Monday, January 4
February	Tuesday, February 16 <sup>2</sup>	Friday, January 29
March	Monday, March 14 <sup>3</sup>	Friday, February 26
April	Monday, April 18	Friday, April 1
May	Monday, May 16	Thursday, April 28
June	Monday, June 20	Friday, June 3
July	Monday, July 18	Friday, July 1
August	Monday, August 15	Friday, July 29
September	Monday, September 19	Friday, September 2
October	Monday, October 17	Friday, September 30
November	Monday, November 21	Friday, November 4
December	Monday, December 19	Friday, December 2

Conway Planning Commission meetings begin at 7:00 pm in the Russell L. “Jack” Roberts District Court Building located at 810 Parkway Avenue, Conway, Arkansas. The agenda with supporting information for each meeting is available at <http://www.cityofconway.org/pages/planning-minutes-reports/>

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<sup>1</sup>Meeting moved due to Martin Luther King, Jr. Day Observance

<sup>2</sup> Meeting moved due to Presidents’ Day Observance

<sup>3</sup> Meeting moved due to Spring Break